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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,435	11/03/2003	Daniel P.H. Wu	14018 B	5604
36672	7590	12/27/2004	EXAMINER	
CHARLES E. BAXLEY, ESQ. 90 JOHN STREET THIRD FLOOR NEW YORK, NY 10038			ENGLE, PATRICIA LYNN	
		ART UNIT	PAPER NUMBER	
		3612		

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/700,435	WU, DANIEL P.H.
	Examiner Patricia L Engle	Art Unit 3612
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
<b>Period for Reply</b>		
<b>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</b>		
<ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>		
<b>Status</b>		
<p>1)<input type="checkbox"/> Responsive to communication(s) filed on ____.</p> <p>2a)<input type="checkbox"/> This action is <b>FINAL</b>.      2b)<input checked="" type="checkbox"/> This action is non-final.</p> <p>3)<input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213.</p>		
<b>Disposition of Claims</b>		
<p>4)<input checked="" type="checkbox"/> Claim(s) <u>1-5</u> is/are pending in the application.</p> <p>4a) Of the above claim(s) ____ is/are withdrawn from consideration.</p> <p>5)<input type="checkbox"/> Claim(s) ____ is/are allowed.</p> <p>6)<input checked="" type="checkbox"/> Claim(s) <u>1-5</u> is/are rejected.</p> <p>7)<input type="checkbox"/> Claim(s) ____ is/are objected to.</p> <p>8)<input type="checkbox"/> Claim(s) ____ are subject to restriction and/or election requirement.</p>		
<b>Application Papers</b>		
<p>9)<input checked="" type="checkbox"/> The specification is objected to by the Examiner.</p> <p>10)<input checked="" type="checkbox"/> The drawing(s) filed on <u>03 November 2003</u> is/are: a)<input checked="" type="checkbox"/> accepted or b)<input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).</p> <p>11)<input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.</p>		
<b>Priority under 35 U.S.C. § 119</b>		
<p>12)<input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</p> <p>a)<input checked="" type="checkbox"/> All    b)<input type="checkbox"/> Some * c)<input type="checkbox"/> None of:</p> <p>1.<input checked="" type="checkbox"/> Certified copies of the priority documents have been received.</p> <p>2.<input type="checkbox"/> Certified copies of the priority documents have been received in Application No. ____.</p> <p>3.<input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</p>		
<p>* See the attached detailed Office action for a list of the certified copies not received.</p>		
<b>Attachment(s)</b>		
<p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____</p> <p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: ____</p>		

## **DETAILED ACTION**

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Specification*

2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.
3. The substitute specification filed November 10, 2004 has not been entered because it does not conform to 37 CFR 1.125(b) and (c) because: a marked-up copy of the substitute specification has not been supplied (in addition to the clean copy).

### *Claim Objections*

4. Claims 1-5 are objected to because of the following informalities: In claim 1, there are grammatically errors in the claim. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hannah (US Patent 5,984,401).

Regarding claim 1, Hannah discloses a shell structure for a vehicle, which comprises an outer shell (62) and an inner shell (24,26,28,30,32), the outer shell (62) mounted on the inner shell (24); [[on]] an outer surface of the inner shell (24) provided with a plurality of coupling members (24,26,...), [[on]] an inner surface of the outer shell (62) provided with a plurality of coupling members (36,50) corresponding to the plurality of coupling members (24,26...) on the outer surface of the inner shell these coupling members enable the outer shell to be quickly assembled to and removed from the inner shell. Regarding the limitation that the vehicle is an electrocar, this limitation is merely an intended use of the shell structure, the structure of Jackson et al. meet the structural limitations of the body of the claim and is capable of being used on an electrocar (which is understood broadly to mean a vehicle run on electricity).

Regarding claim 3, Hannah discloses the shell structure for an electrocar as claimed in claim 1, wherein the respective coupling members on the outer and inner shell are magnets (36) which enable the outer shell to be quickly assembled to and removed from the inner shell.

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. (US Patent 5,228,742).

Regarding claim 1, Johnson et al. disclose a shell structure for a vehicle, which comprises an outer shell (10) and an inner shell (12), the outer shell (10) mounted on the inner shell (12); [[on]] an outer surface of the inner shell (12) provided with a plurality of coupling members (44), [[on]] an inner surface of the outer shell (10) provided with a plurality of coupling members (40) corresponding to the plurality of coupling members (44) on the outer surface of the inner shell

these coupling members enable the outer shell to be quickly assembled to and removed from from the inner shell. Regarding the limitation that the vehicle is an electrocar, this limitation is merely an intended use of the shell structure, the structure of Jackson et al. meet the structural limitations of the body of the claim and is capable of being used on an electrocar (which is understood broadly to mean a vehicle run on electricity).

Regarding claim 5, Hannah discloses the shell structure for an electrocar as claimed in claim 1, wherein the respective coupling members on the outer and inner shell are engaging members (40) and receiving members (44) which enable the outer shell to be quickly assembled to and removed from the inner shell.

*Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hannah in view of Byrd et al. (US Patent 4,496,184).

Hannah discloses the shell structure of claim 1.

Hannah does not disclose that the coupling means could be hook and loop fasteners or double sided tapes.

Byrd et al. discloses mounting a cover to a frame with a continuous connector such as VELCRO™ fasteners (hook and loop fasteners), adhesive tapes, oppositely polarized magnets, magnets and steel plates (column 4, lines 10-15).

Jackson et al. and Byrd et al. are analogous art because they are from a similar problem solving area, i.e., attaching an outer member to a frame.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to use hook and loop fasteners or double sided tape to attach the outer shell to the inner shell as it would merely involve the alternate utilization of an equivalent attachment means to achieve the same exact function.

Therefore, it would have been obvious to combine Byrd et al. with Hannah to obtain the invention as specified in claims 2 and 4.

#### *Response to Arguments*

10. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

However, the Applicant argues that the vehicle must be a vehicle as disclosed by the Applicant. The electrocar is interpreted as a broad limitation by the Examiner. There are no features of the electrocar in the claim to exclude the vehicles used by the Examiner.

***Conclusion***

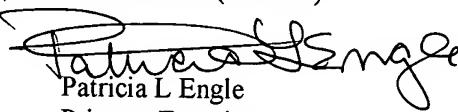
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses other vehicles in which an outer panel is attached to an inner panel.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L Engle whose telephone number is (703) 306-5777.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle  
Primary Examiner  
Art Unit 3612

ple  
December 22, 2004